IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1359 OF 2006
IN
SUIT NO.4519 OF 1999

Ishrat R. Sharif ....Plaintiff
V/s.
M/s.Everest Agencies & Ors. ....Defendants

Mr.Roshan C. Daruwala i/b Rumtamji & Ginwala for the Plaintiff.
Mr.N.K. Mudnaney for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 27TH NOVEMBER, 2006.

P.C. :

1. The affidavit of documents to be filed within six weeks from today. Discovery and inspection forthwith thereafter. The suit to be placed on board for issues in the first week of February, 2007.

2. The evidence of the parties shall be recorded by the Commissioner for taking evidence. Mr.Tolat, an advocate of this Court is appointed as a Commissioner for recording evidence. The parties shall file their affidavits in lieu of examination-in-chief and their documents before the Commissioner who shall record the objections thereto, if any. The parties are at liberty to cross-examine the witnesses without

prejudice to their objections.

3. The costs of the Commissioner shall in the first instance be paid by the Defendants and shall be subject to final orders in the suit.

4. The Notice of Motion is accordingly disposed of.